

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 RONALD W. COLLINS,

5 Plaintiff,

6 v.

7 NDOC, *et al.*,

8 Defendants.
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Case No. 2:22-cv-01795-CDS-BNW

**ORDER AND REPORT AND
RECOMMENDATION**

10 Before the Court is Plaintiff's Motion to Substitute Defendant John Doe #1, which the
11 Court interprets as a motion for leave to amend his complaint. ECF No. 161. Plaintiff seeks to
12 substitute previously named defendant "John Doe #1" with his true identity, Dr. Martin
13 Naughton. *Id.* Responses to the motion were due May 16, 2024. *See id.* To date, no opposition
14 has been filed. As such, the Court grants Plaintiff's Motion as unopposed. LR 7-2(d).


15 **IT IS THEREFORE ORDERED** that Plaintiff's amended complaint must be titled
16 "Third Amended Complaint." The Third Amended Complaint ("TAC") must be filed within 30
17 days, comply with the Federal Rules of Civil Procedure, and state a cognizable claim for relief
18 against each defendant. The TAC must be complete in and of itself and must not refer in any
19 manner to any prior complaint. Furthermore, the TAC must not contain any claims or defendants
20 previously dismissed without leave to amend and must not contain copied allegations which the
21 Court has previously adjudicated to be insufficient. The TAC must be a "copycat" of Plaintiff's
22 Second Amended Complaint with the one exception that Plaintiff may substitute Dr. Martin
23 Naughton for Defendant John Doe #1.

24 **IT IS FURTHER RECOMMENDED** that should Defendants wish to supplement their
25 Motion to Dismiss (ECF No. 146) in light of the substitution, they must do so within 45 days of
26 Plaintiff filing his Third Amended Complaint.

27 **IT IS FURTHER RECOMMENDED** that should Defendants supplement their Motion
28 to Dismiss, Plaintiff must respond to the supplement within 14 days of its filing and Defendants

1 must reply within 7 days of the filing of Plaintiff's opposition.
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3 DATED this 21st day of May 2024.
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6 BREND A WEKSLER
7 UNITED STATES MAGISTRATE JUDGE
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